

23.09.2024
Court No.3
Item No.11
Ali

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION

CRR 357 of 2024

In Re: An application under Section 482 of the Code of Criminal Procedure;

And

In the matter of: **Sandhir Agarwal & Ors.**
.....**Petitioners.**

Mr. Sourav Chatterjee, Adv.
Mr. Avik Ghatak, Adv.
Mr. S. Das, Adv.
..... for the petitioners.
Mr. Deborshi Dhar, Adv.
Mr. N Mittal, Adv.
..... for the respondent No.2.

This is an application under Section 482 of the Code of Criminal procedure, for quashing a G.R. Case being No. 2930 of 2024, arising out of Bhaktinagar Police Station Case No. 535 of 2024 dated 14.06.2024, for alleging offences punishable under Section 465/468 of the Indian Penal Code, 1860 now pending before the Learned Chief Judicial magistrate, jalpaiguri.

Learned counsel for the petitioners submits that the disputes were cropped up between the family members of a Tea Company. On the basis of such disputes, several criminal complaints were made to the concerned Police Station and three police case were registered by the same Police Station. He submits that all the cases were frivolous and harassive one. Accordingly, the petitioner had to file three criminal

revision before this Hon'ble High Court being No. CRR 330 of 2024, CRR 333 of 2024 as well as CRR 334 of 2024 in all the cases this Court has passed an interim order for stay of operation of the further criminal proceeding.

He further submits that on plain perusal of the FIR as well as FIR of earlier criminal proceedings, it reveals that the allegations are general and omnibus. He further submits that the concerned Police Station has acted illegally by registering the FIR without calling the directives of the Hon'ble High Court passed in ***Lalit Kumari (2014) 2 SCC 1.***

He prayed for necessary order for stay of further operation of the criminal proceedings.

Learned counsel for the opposite party appears before this Court and prayed for early hearing of this matter. It appears that the similar complaints were filed before the same Bhaktinagar Police Station. On the earlier occasion, this Court has considered the FIR of similar nature; I perused the FIR.

Considering the facts and circumstances of this case, it would be proper to pass a similar order in respect of this FIR. Accordingly, there shall be an order of stay of further proceeding of the criminal case being G.R. Case No. 2930 of 2024, arising out of Bhaktinagar Police Station Case No. 535 of 2024 dated 14.06.2024 till a period of eight weeks.

Considering the submissions of the learned advocate for the private opposite party, it appears that other three criminal revisions

which were filed earlier before this Court need be heard along with this CRR for betterment of hearing of this matter.

The respondent is directed to mention this matter before this Court so that all the matters can be heard analogously.

(Subhendu Samanta, J.)